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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2011-956**

13 **JULIE SWANBERG**  
14 **aka JULIE BEAUMONT**  
21628 S. Greenfield  
Chandler, AZ 85249

**A C C U S A T I O N**

15 **Registered Nurse License No. 550499**

16 Respondent.

17  
18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive  
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 2. On or about December 10, 1998, the Board issued Registered Nurse License Number  
23 550499 to Julie Swanberg, also known as Julie Beaumont ("Respondent"). The license expired  
24 on October 31, 2000, and has not been renewed.

25 **JURISDICTION**

26 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
27 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
28

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
5 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board  
6 may renew an expired license at any time within eight years after the expiration.

### 7 **STATUTORY PROVISIONS**

8 5. Code section 2761 states:

9 "The board may take disciplinary action against a certified or licensed nurse or deny an  
10 application for a certificate or license for any of the following:

11 (a) Unprofessional conduct, which includes, but is not limited to, the following:

12 (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
13 against a health care professional license or certificate by another state or territory of the United  
14 States, by any other government agency, or by another California health care professional  
15 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
16 action."

### 17 **COST RECOVERY**

18 6. Code section 125.3 provides, in pertinent part, that the Board may request the  
19 administrative law judge to direct a licensee found to have committed a violation or violations of  
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
21 enforcement of the case.

### 22 **FIRST CAUSE FOR DISCIPLINE**

#### 23 **(Out-of-State Discipline)**

24 7. Respondent is subject to discipline under Code section 2761(a)(4), in that effective  
25 April 22, 2010, in a matter entitled, "*In the Matter of Registered Nurse License No. RN 086492*  
26 *and Practical Nurse License No. LP 028393 Issued to Julie Beaumont,*" and pursuant to a  
27 Consent Agreement and Order No. 1003008, the Arizona State Board of Nursing revoked  
28 Respondent's Arizona Registered Nurse License Number RN 086492. However, the revocation

1 was stayed for as long as Respondent remained in compliance with the Order. During the stayed  
2 revocation, Respondent's registered nurse license was placed on suspension for twelve (12)  
3 months and probation for twelve (12) months, followed by probation for twenty-four (24) months.  
4 The discipline was based on the Findings of Fact set forth in the Consent Agreement and Order  
5 attached hereto as **Exhibit A**, wherein Respondent failed to abstain from the use of alcohol  
6 pursuant to the terms and conditions of a Stipulated Agreement she entered into with CANDO  
7 (Chemically Addicted Nurses Diversion Option) on or about July 8, 2009.

8 **PRAYER**

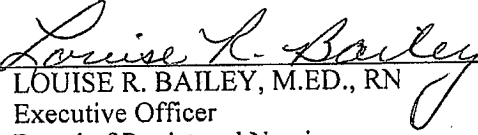
9 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
10 and that following the hearing, the Board of Registered Nursing issue a decision:

11 1. Revoking or suspending Registered Nurse License Number 550499, issued to Julie  
12 Swanberg, also known as Julie Beaumont;

13 2. Ordering Julie Swanberg, also known as Julie Beaumont, to pay the Board of  
14 Registered Nursing the reasonable costs of the investigation and enforcement of this case,  
15 pursuant to Business and Professions Code section 125.3; and,

16 3. Taking such other and further action as deemed necessary and proper.

17 DATED: 6/1/11

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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# EXHIBIT A

Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

***Arizona State Board of Nursing***

4747 North 7<sup>th</sup> Street, Suite 200  
Phoenix AZ 85014-3655  
Phone (602) 771-7800 Fax (602) 771-7888  
E-Mail: [arizona@azbn.gov](mailto:arizona@azbn.gov)  
Home Page: <http://www.azbn.gov>

TO: California Board of Registered Nursing  
P. O. Box 944210  
Sacramento, CA 94244-2100

DATE: April 26, 2010

FROM: Joey Ridenour, R.N., M.N., F.A.A.N., Executive Director  
Arizona State Board of Nursing

SUBJECT: JULIE BEAUMONT *Aka Swanberg*  
Disciplinary Action by Arizona State Board of Nursing

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This is to advise you that the above named registered nursing was disciplined by the Arizona State Board of Nursing effective April 22, 2010. The disciplinary action given was **Stayed Revocation Suspension and Probation.**

Enclosure:

Janice K. Brewer  
Governor



Joey Ridenour  
Executive Director

**Arizona State Board of Nursing**

4747 North 7<sup>th</sup> Street, Suite 200  
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**AFFIDAVIT OF CUSTODIAN OF RECORDS**

STATE OF ARIZONA

COUNTY OF MARICOPA

I, Joey Ridenour, Executive Director for the Arizona State Board of

Nursing, County of Maricopa, State of Arizona, do hereby certify that I am the officer having the legal custody for the records hereto attached in the office of the Arizona State Board of Nursing, County of Maricopa, State of Arizona, a public office of said State. The attached copies are true copies of the records on **JULIE BEAUMONT**. Personnel of the Arizona State Board of Nursing prepared the records during the ordinary course of business.

Witness my hand and the seal of the Arizona State Board of Nursing at 4747 N. 7th Street, Suite 200, Phoenix, Arizona 85014-3655 on April 26, 2010.

SEAL

*Joey Ridenour R.N. M.N. F.A.A.N.*

Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

**ARIZONA STATE BOARD OF NURSING**

IN THE MATTER OF REGISTERED NURSE  
LICENSE NO. RN086492 AND PRACTICAL  
NURSE LICENSE NO. LP028393  
ISSUED TO:

JULIE BEAUMONT  
RESPONDENT

**CONSENT AGREEMENT  
AND  
ORDER NO. 1003008**

**CONSENT AGREEMENT AND ORDER**

A complaint charging Julie Beaumont ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement and Order ("Order") as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

**FINDINGS OF FACT**

1. Respondent holds Board issued registered nurse license no. RN086492.
2. On or about May 7, 2009, Respondent called the Board to self-report and requested entry into CANDO.
3. On or about May 14, 2009, Scottsdale Healthcare submitted a complaint against Respondent's license that she submitted a positive for-cause Breath Alcohol test.
4. On or about May 15, 2009, Respondent spoke with Board staff. She stated she was terminated from Scottsdale Healthcare. She stated that on or about May 7, 2009 another nurse smelled alcohol on her breath while at work.

5. On or about July 8, 2009, Respondent met with Board staff. She stated that about a year prior her alcohol consumption increased to a bottle of wine a night. She denied drinking on the job at Scottsdale Healthcare. Respondent signed a CANDO Stipulated Agreement which in part, required her to attend a chemical dependency treatment program followed by aftercare, enroll in a drug screening program and submit to required monthly random drug screens; attend two AA meetings per week and nurse support group weekly; abstain from the use of alcohol; abstain from unauthorized drug use, notify CANDO of any prescription received, refrain from working as a nurse until approval to return to work was obtained from the CANDO consultant and upon return to nursing practice, abide by standard nursing practice restrictions, which included no access to or administer narcotics for six months.

6. On or about August 19, 2009, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

7. On or about October 2, 2009, Respondent notified Board staff that she relapsed and drank a bottle of wine on or about August 25, 2009.

8. On or about October 14, 2009, Respondent signed a First Addendum to Stipulated Agreement which, in part, required her to undergo a relapse evaluation; submit weekly random urine drug screens for three months, followed by two urine drug screens a month for 15 months, and a minimum of one per month thereafter; attend one AA meeting per day for 90 days followed by three AA meetings a week; and no access to or administration of narcotics for six months.

9. On or about December 15, 2009, Respondent failed to submit a random urine drug screen in violation of her CANDO Stipulated Agreement.

10. On or about January 22, 2010, Board staff sent Respondent a letter of non-compliance for failure to submit her reports for the reporting period ending November 2009.



11. On or about March 4, 2010, Board staff sent Respondent a letter of non-compliance for failure to submit her reports for the reporting period ending January, 2010.

12. On or about March 8, 2010, Respondent called Board staff and admitted that she relapsed on wine on or about March 5, 2010 and was charged with driving under the influence in Gilbert, AZ.

13. On or about March 8, 2010, Respondent was discharged from CANDO for non-compliance with her CANDO Stipulated Agreement. Non-compliance included but was not limited to the failure to abstain from alcohol; failure to submit random urine drug screens; and failure to submit reports.

#### CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D) as defined in § 32-1601(16)(d), (g), (i) and (j) (effective May 9, 2002) and § 32-1601(18)(d), (g), (i) and (j) (effective October 14, 2009), and A.A.C. R4-19-403(1), (17) and (31) (effective February 2, 2009).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(N) to revoke, suspend or take disciplinary action against the license of Respondent to practice as a registered nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law.

In lieu of a formal hearing on these issues, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order, except in the limited circumstance(s) specified in paragraph 4, pages 10 and 11 and paragraph 4, pages 15 and 16 of this Order.

Respondent understands the right to consult legal counsel prior to entering into the Order and such consultation has either been obtained or is waived.

Respondent understands that the term "Order" used throughout this document refers to all pages of the document including Findings of Fact, Conclusions of Law and all suspension/probationary terms and conditions and paragraphs of the Order.

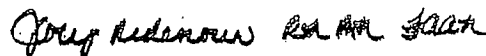
Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the Agreement cannot be withdrawn without the Board's approval or by stipulation between Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

  
Respondent

Dated: April 22, 2010

ARIZONA STATE BOARD OF NURSING

SEAL



Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: March 23, 2010

CONNIE LINCK/RN086492-BEAUMONT

### ORDER

In view of the above Findings of Fact, Conclusions of Law and consent of Respondent, the Board hereby issues the following Order:

A. Respondent's registered nurse license number RN086492 is hereby **revoked**; however, the **revocation is stayed** for as long as Respondent remains in compliance with this Order. During the stay of the revocation, Respondent's registered nurse license number RN086492 is placed on suspension for twelve months and probation for twelve months with terms and conditions, followed by probation for twenty-four months. Before termination of this Order, Respondent shall work as a registered nurse for a minimum of twelve months (not less than sixteen hours a week).

B. If Respondent is non-compliant with any of the terms of the Order during the twenty-four month stayed revocation period, the stay of the revocation shall be lifted and Respondent's license shall be automatically revoked for a minimum period of five years. Except as provided in paragraph 4, pages 10 and 11 and paragraph 4, pages 15 and 16 of this Order, the Board or its designee, in its sole discretion, shall determine noncompliance with the stayed portion of the Order. With the exception of the provisions identified in paragraph 4, pages 10 and 11 and paragraph 4, pages 15 and 16, Respondent waives any and all rights to any further review, hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

C. If Respondent is noncompliant with any of the terms of the Order during the twenty-four month standard probation portion of the Order, Respondent's noncompliance shall be reviewed by the Board for consideration of possible further discipline on Respondent's nursing license.

D. At any time Respondent is required by terms of the Order to provide a copy of the Order to another individual or facility the Respondent must provide all pages of the Consent Agreement and Order.

E. If Respondent is convicted of a felony, Respondent's license shall be automatically revoked for a period of five years. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

F. The suspension is subject to the following terms and conditions:

**TERMS OF SUSPENSION (Stayed Revocation)**

1. Surrender of License

Within seven days of the effective date of the consent agreement Respondent shall surrender the license to the Board and Respondent shall not practice nursing for twelve months.

2. Substance Abuse Evaluation

Within thirty days of the effective date of this Order, Respondent shall be evaluated by a Ph.D. level Board approved evaluator with substance abuse expertise. Prior to the evaluation, Respondent shall provide a copy of the Findings of Fact, Conclusions of Law and the Order, and the evaluator shall verify receipt of the Order, in writing in a report on letterhead, to the Board. Respondent shall immediately execute the appropriate release of information forms, to allow the evaluator to communicate with the Board or its designee. The report from the evaluator should include a history of substance abuse, past treatment, present status of recovery and participation in recovery activities, and recommendations for on-going treatment. Respondent will complete all recommendations as recommended by the evaluator and the Board reserves the right to amend the Order based on the recommendations of the evaluator.

If recommended, Respondent shall enroll in any recommended treatment or therapy within thirty days of being notified by the Board of the recommendations from the evaluator. Respondent shall cause the program facilitator to inform the Board, in writing, verifying enrollment in the program. Prior to entry into any recommended therapy, Respondent shall provide a copy of this Consent Agreement and Order to include Findings of Fact and

Conclusions of Law, and Order to the program facilitator. Respondent shall immediately execute the appropriate release of information form(s) to allow the facilitator to communicate information with the Board or its designee. Respondent shall participate in treatment or therapy until the Board receives verification from the facilitator in writing that Respondent has successfully completed the treatment requirements. During participation in treatment Respondent shall cause the provider or program facilitator to submit to the Board, in writing on a Board-approved form, evidence of satisfactory attendance, participation, discharge and successful completion of the program. Such reports are due beginning on the first quarterly reporting date after entry into treatment or therapy program and quarterly thereafter, according to schedule, and until verification of successful completion of the program has been received by the Board.

3. Relapse Prevention Therapy

Within thirty days of the effective date of this Order Respondent shall enter a Board approved Relapse Prevention Therapy Program. Respondent shall immediately execute the appropriate release of information form(s) to allow the facilitator to communicate information to the Board or its designee, and Respondent shall immediately provide a copy of this Consent Agreement and Order to include Findings of Fact and Conclusions of Law to the facilitator. Within seven days of entering treatment, Respondent shall cause the facilitator to submit to the Board written verification of Respondent's enrollment in the Program, and verification of receipt of Respondent's entire Consent Agreement. Thereafter, Respondent shall cause the facilitator to provide quarterly reports to the Board according to the quarterly reporting schedule assigned to Respondent. Respondent shall continue undergoing treatment until the facilitator provides written notification to the Board, indicating that treatment is no longer

needed. The Board reserves the right to amend the Order based on recommendation(s) of treating professional(s).

4. Psychological Counseling

Prior to the termination of suspension Respondent shall submit to the Board documentation of completion of Cognitive Behavioral Therapy (CBT). Respondent shall execute the appropriate release of information form to allow the treating professional(s) to communicate information to the Board or its designee. Within thirty days of the effective date of this Order, Respondent shall cause any and all treating professional(s) to provide written verification of enrollment in treatment. Thereafter, Respondent shall cause any and all treating professional(s) to provide quarterly reports to the Board according to the quarterly reporting schedule assigned to Respondent. Respondent shall continue undergoing treatment until the treating professional(s) notify the Board, in writing on letterhead, that treatment is no longer needed. The Board reserves the right to amend the Order based on recommendation(s) of treating professional(s).

5. Completion of Suspension

After Respondent has successfully completed all terms of the twelve month Stayed Revocation Suspension as determined by the Board's designee, Respondent's license shall be placed on a twelve month Stayed Revocation Probation with terms and conditions.

**TERMS OF SUSPENSION AND PROBATION**  
**(Stayed Revocation and Standard)**

1. Renewal of License

If Respondent's registered nursing is expired at the time of the effective date of the Consent Agreement and Order, Respondent must renew the license within seven days of the effective date. In the event the registered license is scheduled to expire during the duration of this Order, Respondent shall apply for renewal of the registered license and pay the applicable fee.

before the expiration date. Failure to renew within seven days of the effective date of this Order, if it is expired, or failure to renew a license by the last date in which the license is to expire, shall be considered as noncompliance.

2. Nurse Recovery Group

Within seven days of the effective date of this Order, Respondent shall enroll in a Board-acceptable Nurse Recovery Group if a group is available within forty miles. Respondent shall sign release of information forms allowing the group facilitator to inform the Board, in writing and on letterhead, of Respondent's entry and progress in the group. Respondent shall attend a Nurse Recovery Group once per week and have no "Unexcused" absences or "No call/No show" occurrences.

3. Participation in AA/NA

(a) No later than seven days of the effective date of this Order, Respondent shall attend one AA meeting a day for ninety days. Thereafter and throughout the term of this Order, Respondent shall participate at least three times weekly, or as recommended by the Rehabilitation Program, in Alcoholics Anonymous, Narcotics Anonymous, or an equivalent program, and shall submit to the Board, in writing on Board-approved forms, quarterly reports which are initialed by his sponsor. The first report is due by the end of the first month after the effective date of the Order, and quarterly thereafter according to the assigned reporting dates.

(b) Respondent shall obtain a temporary sponsor, if participating in a 12-step program, within thirty days of the effective date of this Order and a permanent sponsor within sixty to ninety days. Respondent shall maintain a sponsor relationship throughout the terms of this Order.

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4. Drug Testing

Within seven days of the effective date of this Order, and throughout the term of this Order, Respondent shall remain enrolled in a program that meets Board criteria for random drug testing. Random urine drug testing shall be done at a minimum of twice per month, for a period of eighteen months and a minimum of once per month thereafter, and may be required more frequently as requested by the Board or its designee. Respondent shall notify the drug testing laboratory and the Board, in writing, of unavailability to test before the anticipated absence. If Respondent is unable to submit a specimen on a date requested due to illness, Respondent must provide in writing within seven days of the missed specimen, documentation from a medical provider who has personally seen Respondent on the day of the requested drug test confirming that Respondent was not physically able to report to the laboratory for drug testing. Otherwise failing to submit to a drug test on a day when a drug test has been requested by the Board, its designee, or the laboratory will constitute noncompliance with this Order, NOT subject to further review. A positive drug test showing evidence of any drug other than an authorized drug shall result in immediate notification of Respondent's employer by the Board. However, any occurrence of the following constitutes noncompliance with this Order, subject to further review if contested in writing by Respondent: a positive drug test showing evidence of any drug other than an authorized drug; submission of a specimen where the integrity has been compromised as indicated by the presence of adulterants; or submission of a urine sample that is below the acceptable volume or temperature to be tested. If contested by Respondent, Respondent shall, within five days of being notified of the non-compliance, submit a written request for further review and the reason(s) for contesting the results. If so contested, the noncompliance shall be investigated by Board staff and reviewed and substantiated by the Board's designee, to include a written verification attesting to the validity and



reliability of Respondent's drug screening results from the Toxicologist or Medical Review Officer affiliated with the drug screening laboratory. If so investigated, reviewed, substantiated and verified, the stay of revocation shall be lifted and Respondent's license automatically revoked, NOT subject to further review.

5. Abstain from Alcohol Use

Respondent shall completely abstain from the use of alcohol.

6. Abstain from Unauthorized Drug Use/Proof of Prescription

Respondent shall completely abstain from the use or possession of controlled substances, and dangerous drugs as defined by law, or any drugs requiring a prescription.

Orders prohibiting Respondent from personal use or possession of controlled substances or dangerous drugs do not apply to medications lawfully prescribed to Respondent for an illness or condition by a medical provider. During the duration of this Order, Respondent shall select one medical provider to coordinate her health care needs and to be aware of all prescriptions utilized. Within seven days of the effective date of this Order, Respondent shall cause all medical providers who have prescribed medications which are currently being used by the Respondent daily or on an as needed basis to provide in writing, on letterhead, verification of knowledge of Respondent's history of substance use, awareness of Respondent's Consent Agreement and Order with the Board, and documentation of current medications prescribed for Respondent. Respondent shall execute all release of information form(s) as required by the Board or its designee so that Respondent's medical providers shall be able to communicate information with the Board. Prior to receiving treatment from any other medical provider(s), Respondent shall notify the medical provider(s) of Respondent's history of substance use and of the existence of the Order. DURING THE COURSE OF THE ORDER RESPONDENT SHALL CAUSE ANY AND ALL PROVIDERS TO NOTIFY THE BOARD OF THEIR AWARENESS

OF RESPONDENT'S HISTORY OF SUBSTANCE USE, BOARD ORDER, AND NOTIFICATION OF ANY MEDICATIONS ORDERED BY THE PROVIDER. THE NOTIFICATION SHALL BE MADE IN WRITING WITHIN ONE WEEK OF THE PROVIDER'S ISSUANCE OF THE PRESCRIPTION.

If Respondent has a lawful prescription for a controlled substance, Respondent shall cause her prescribing provider to provide monthly reports to the Board regarding the continued need for the prescribed narcotic or mood-altering medications within seven days of the 30<sup>th</sup> day of each month. The Board or its designee may, at any time, request the provider to document the continued need for prescribed medications. Such report from the provider shall be received by the Board within 14 days of the request. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board or its designee.

7. Release of Information Forms

Respondent shall sign all release of information forms as required by the Board or its designee and return them to the Board within ten days of the Board's written request. Failure to provide for the release of information, as required by this paragraph constitutes noncompliance with this Order.

8. Interview with the Board or its Designee

Respondent shall appear in person or if residing out of state, telephonically for interviews with the Board or its designee upon request and with at least two days notice.

9. Change of Employment/Personal Address/Telephone Number

Respondent shall notify the Board, in writing, within seven days of any change in nursing employment, personal address or telephone number. Changes in nursing employment include the acceptance, resignation or termination of employment.

10. Obey All Laws

Respondent shall obey all laws/rules governing the practice of nursing in this state and obey all federal, state and local criminal laws. Respondent shall report to the Board, within ten days, any misdemeanor or felony arrest or conviction.

11. Costs

Respondent shall bear all costs of complying with this Order.

12. Voluntary Surrender of License

Respondent may, at any time this Order is in effect, voluntarily request surrender of her license.

13. Violation of Terms of Consent Agreement and Order

During the stayed revocation portion of the Order (*first twenty-four months*) if Respondent is non-compliant with the terms of the Order, the stay of revocation shall be lifted and Respondent's license shall be automatically revoked.

If during the standard probation (*last twenty-four months*) portion of the Order, Respondent is noncompliant with the terms of the Order in any respect, Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this agreement after affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

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14. Completion of Suspension

When Respondent has successfully completed the terms of the twelve month Stayed Revocation Probation, Respondent's license shall be placed on a twenty-four month Probation with terms and conditions.

**TERMS OF PROBATION**

1. Stamping of License

Following completion of the twelve month Stayed Revocation Suspension, Respondent's license shall be stamped "Probation" and returned to Respondent. While this Order is in effect, if the Board issues any certificates or licenses authorized by statute, except a nursing assistant certificate, such certificate or license shall also be stamped "PROBATION." Respondent is not eligible for a multistate "Compact" license.

2. Relapse Prevention Evaluation

Eighteen months prior to the termination of the Order or as requested by the Board or its designee, Respondent shall be evaluated by a relapse prevention therapist, who is at minimum, Master's prepared. Respondent shall comply with any treatment recommendations as recommended by the relapse prevention evaluator.

If recommended by the evaluator, Respondent shall enroll in a relapse prevention program or other recommended therapy within thirty days of being notified by the Board or its designee of the recommendations from the evaluator. Respondent shall cause the program facilitator to inform the Board, in writing and on letterhead, verification of enrollment in the program. Prior to entry into a relapse prevention program or any type of other recommended therapy, Respondent shall provide a copy of this Consent Agreement and Order to the program facilitator. Respondent shall sign release of information form(s) to allow the facilitator to communicate information with the Board or its designee. Respondent shall participate in the

relapse prevention program or therapy until the Board receives written verification from the facilitator that Respondent has successfully completed the program. During participation in the program, Respondent shall cause the program facilitator to provide to the Board, in writing on Board-approved forms, evidence of satisfactory attendance, participation, discharge, and successful completion of the program. Reports are due on the first quarterly reporting date after entry into the relapse prevention program and quarterly thereafter, according to schedule.

Violation of this paragraph is noncompliance with the Order.

3. Notification of Practice Settings

Any setting in which Respondent accepts employment, which requires RN licensure, shall be provided with a copy of the entire Order on or before the date of hire. Within three calendar days of Respondent's date of hire, Respondent shall cause her immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgment of the supervisor's receipt of a copy of this Consent Agreement and Order and the employer's ability to comply with the conditions of probation. In the event Respondent is attending a nursing program, Respondent shall provide a copy of the entire Consent Agreement and Order to the Program Director. Respondent shall cause the Program Director to inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a copy of the Consent Agreement and Order and the program's ability to comply with the conditions of probation during clinical experiences.

4. Quarterly Reports

Within thirty days of the effective date of this Order, and quarterly thereafter, Respondent shall cause every employer Respondent has worked for to submit to the Board, in writing, quarterly employer evaluations on the Board-approved form. In the event Respondent is not employed in nursing or attending school during any quarter or portion thereof, Respondent

shall submit to the Board, in writing, a self-report describing other employment or activities on the Board-approved form.

Receipt of confirmation of employment disciplinary action, including written counseling(s), suspension, termination or resignation in lieu of termination from a place of employment, any of which pertains to improper patient care, unsafe practice, inappropriate medication removal or administration, sub-standard documentation, or impairment on duty, positive drug test showing evidence of any drug other than an authorized drug, and/or refusal to submit to an employer requested drug screen/testing, shall be investigated by Board staff and reviewed and substantiated by the Board's designee. If so investigated, reviewed and

substantiated, the employment disciplinary action shall be considered as noncompliance with the terms of the Order, and the stay of revocation shall be lifted and Respondent's license automatically revoked. If Respondent contests the lifting of the stay as it relates to this paragraph, Respondent shall request in writing, within ten days of being notified of the automatic revocation of licensure, that the matter be placed on the Board agenda for the Board to review and determine if the automatic revocation of Respondent's license was supported by substantial evidence. If the written request is received within ten days of a regularly scheduled Board meeting, the request will NOT be heard at that meeting, but will be heard at the NEXT regularly scheduled Board meeting. Pending the Board's review, Respondent's license shall be reported as revoked – under review. Respondent may not work in any capacity involving nursing licensure pending the Board's review. The Board's decision and Order shall not be subject to further review.

Failure to provide employer evaluations or if not working in nursing, self-reports, within seven days of the reporting date is non-compliance with this Order and is not subject to further review.

5. Practice Under On-Site Supervision

Respondent shall practice as a registered nurse only under the on-site supervision of a registered nurse in good standing with the Board. On-site supervision is defined as having a registered nurse present in the building while Respondent is on duty. The supervising nurse shall have read this Consent Agreement and Order and shall provide input on Respondent's employer evaluations to the Board. The supervising nurse shall be primarily one person, who may periodically delegate to other qualified registered nurses who shall also have read this Consent Agreement and Order. In the event that the assigned supervising nurse is no longer responsible for the supervision required by this paragraph, Respondent shall cause her new supervising nurse to inform the Board, in writing and on employer letterhead, acknowledging the new supervisor's receipt of a copy of this Consent Agreement and Order and the new supervising nurse's ability to comply with the conditions of probation within ten days of assignment of a new supervising nurse.

6. Access to Drugs

Respondent shall not administer or have access to controlled substances and/or any other potentially addictive medications, including but not limited to, Nubain and Stadol, at least during the first six months after returning to nursing practice during the probationary status and until receiving written approval from the Board or its designee. Upon evidence of full compliance with the probationary terms, the Board or its designee shall evaluate and provide written notification of Respondent's ability to administer controlled/prohibited medications.

7. Acceptable Hours of Work

Respondent shall work only the day or evening shift. Evening shift is defined as a shift that ends prior to midnight. Within a 14-day period Respondent shall not work more than 84 scheduled hours.

Respondent may work three 12-hour shifts in one seven day period and four 12-hour shifts in the other seven day period, but Respondent may not work more than 3 consecutive 12-hour shifts during this probationary period. Respondent shall not work 2 consecutive 8 hour shifts within a 24 hour period or be scheduled to work 16 hours within a 24 hour period.

8. Registry Work Prohibited

Respondent may not work for a nurse's registry, home health, traveling nurse agency, any other temporary employing agencies, float pool, or position that requires on-call status.

9. Out of State Practice/Residence

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, the Board must first approve out-of-state practice or residence.

10. Violation of Probation

If during the stayed revocation portion of the Order Respondent is non-compliant with the terms of the Order in any way, the stay of revocation shall be lifted and Respondent's license shall be automatically revoked. If during the standard probation portion of the Order Respondent is noncompliant with the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this Consent Agreement and Order after affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

11. Completion of Probation

When Respondent has nine months left in the probationary period, Respondent's compliance will be reviewed by the Board's designee. If Respondent has demonstrated full



compliance with all terms of the Order, Respondent will be eligible to participate in a "stepdown" component of the Order where reports from AA and Nurse Recovery Group will no longer be required, and Respondent shall submit to "on-call" urine drug screens as requested by the Board or its designee.

Respondent is not eligible for early termination of this Order. Upon successful completion of the terms of the Order, Respondent shall request formal review by the Board, and after formal review by the Board, Respondent's nursing license may be fully restored by the appropriate Board action if compliance with this Order has been demonstrated.

ARIZONA STATE BOARD OF NURSING

SEAL

Joey Ridenour R.N. M.N. F.A.A.N.  
Joey Ridenour, R.N., M.N., F.A.A.N.  
Executive Director

Dated: March 23, 2010

JR/CL:oz

COPY mailed this 24<sup>th</sup> day of March, 2010, by First Class Mail, to:

Julie Beaumont  
21628 South Greenfield Road  
Gilbert, Arizona 85298

Signed in the Board office this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

By: Olga Zuniga